

Order

**Michigan Supreme Court
Lansing, Michigan**

September 23, 2021

Bridget M. McCormack,
Chief Justice

ADM File No. 2021-14

Brian K. Zahra

David F. Viviano

Adoption of Administrative
Order No. 2021-6

Richard H. Bernstein

Elizabeth T. Clement

Megan K. Cavanagh

Elizabeth M. Welch,
Justices

Mandatory Submission of
Case Data to the Judicial
Data Warehouse

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, Administrative Order No. 2021-6 is adopted, effective January 1, 2022.

Administrative Order No. 2021-6 – Mandatory Submission of Case Data to the Judicial Warehouse

For two decades, the Judicial Data Warehouse has been an essential tool allowing users to locate trial court records from throughout the state, informing judicial decisions, enhancing court administration, improving public policy through data-driven research, and promoting transparency.

Nearly all trial courts provide a daily or weekly feed of case-level data to the JDW, but frequently, certain data elements are missing or reported inconsistently by different courts, and several courts do not participate at all, creating problematic data gaps. To address these problems, courts should be required to submit data in a uniform manner and across all courts. Doing so will ensure the JDW contains uniformly reported data that will be more useful to courts, law enforcement, researchers, and other users. In addition, a more complete database will relieve courts of the requirement to submit certain reports that are currently prepared manually or with special programming, and ultimately is intended to be a resource for the general public about how courts in Michigan operate.

Therefore, on order of the Court, pursuant to 1963 Const, Art VI, §4, which provides for the Supreme Court's general superintending control over all state courts, all trial courts must submit all case data including nonpublic and financial records to the Judicial Data Warehouse in a format and frequency defined by the SCAO. This order replaces all existing Memoranda of Understanding between SCAO and any trial courts regarding the JDW.

This order shall remain in effect until further order of the Court.

Staff Comment: This administrative order makes it mandatory for all courts to submit case information to the Judicial Data Warehouse in a uniform manner as required by SCAO.

This order is, first and foremost, concerned with ensuring that data is submitted by courts in a uniform and comprehensive way. As several commenters noted, however, there remains some concern about how information in the JDW will be used and accessed in the future. Under current policies, data is available only to authorized users or under a specific data sharing agreement. Before making information in the JDW more widely available in the future, the Court will carefully consider new policies necessary to ensure appropriate security/privacy and address other considerations raised during the comment period.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 23, 2021

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk